



MURIEL GOODE-TRUFANT
Acting Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NEW YORK 10007

Peter Scutero
Senior Counsel
pscutero@law.nyc.gov
Phone: (212) 356-2410
Fax: (212) 356-1148

July 19, 2024

By ECF

Honorable Vera M. Scanlon
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Lucy York v. The City of New York et al.*, 22-cv-06432 (OEM)(VMS)

Your Honor:

I am a Senior Counsel in the office of Muriel Goode-Trufant, Acting Corporation Counsel of the City of New York, and the attorney for defendants City of New York and Officer Jorge Garcia in the above-referenced matter. Defendant City writes to respectfully request that the Court extend counsel to the newly named defendants'¹ time, from July 16, 2024 to August 26, 2024, *nunc pro tunc*, to file notices of appearance in this case. See Docket No. 33. Plaintiff does not consent to this request. This is defendant City's first request for an extension of time to the filing of notices of appearance for the newly named defendants.

On July 12, 2024, the Court granted defendants' motion for extension of time to answer or respond to plaintiff's first amended complaint for the newly named defendants to August 26, 2024. See Docket No. 33. The Court also ordered counsel to the newly named defendants to file notices of appearance by July 16, 2024, only four days after the Court's order. Id. Since the Court's order, defendant City has been working tirelessly to identify an additional defendant, NYPD Member John Doe 1B ("John Doe 1B"), who plaintiff has sought to identify. The City reviewed many documents and many hours of BWC footage to assist with the identification, many of which were provided to plaintiff for that purpose. Based on the information provided by the City, plaintiff now believes they have identified John Doe 1B and is planning to file a second amended complaint adding another defendant.

Due to the extensive work the City engaged in regarding identification of John Doe 1B,

¹ The newly named defendants include the defendants added to plaintiff's first amended complaint: Thomas Quevedo, Justin Schivek, Leonel Giron, and Joseph Gulotta.

counsel require additional time to conduct an investigation of the newly named defendants for purposes of representation. Given that the newly named defendants' time to answer or respond to the first amended complaint has already been extended to August 26, 2024, the City respectfully requests that counsels' appearances for the newly named defendants be extended to that date as well. As stated in the request to enlarge the answering deadline, this extension of time is needed for the City to undertake an investigation of plaintiff's claims as they relate to the newly named defendants and make a determination about representation. Accordingly, the City respectfully requests the Court extend counsel to the newly named defendants' time, from July 16, 2024 to August 26, 2024, *nunc pro tunc*, to file notices of appearance in this case.

Thank you for your time and consideration of this request.

Respectfully submitted,

Peter Scutero /s

Senior Counsel

Special Federal Litigation Division

cc: ALL COUNSEL (via ECF)